

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

ORDER WQO 2002 - 0009

In the Matter of the Petition of
**MERIDIAN BEARTRACK COMPANY, MERIDIAN
GOLD COMPANY, AND FELIX MINING COMPANY**

For Review of Cease And Desist Order No. 5-01-041
For Royal Mountain King Mine
Issued by the
California Regional Water Quality Control Board,
Central Valley Region

SWRCB/OCC FILE A-1369

BY THE BOARD:

Meridian Beartrack Company, Meridian Gold Company, and Felix Mining Company (Meridian) petitioned for State Water Resources Control Board (State Board) review of Cease and Desist Order No. 5-01-041 issued by the Central Valley Regional Water Quality Control Board (Regional Board) on March 15, 2001. The Regional Board order addresses compliance with closure waste discharge requirements for the Royal Mountain King Mine near Copperopolis in Calaveras County. On June 22, 2001, the State Board notified Meridian that its petition was complete. Under the applicable regulations, the State Board ordinarily must take final action on the petition within 270 days of the date that the petition is complete. The last date for action on the petition may be extended for up to 60 days by written agreement with the petitioner.¹ In this instance, Meridian agreed to a 60-day extension of time. The time for formal disposition of the petition is May 18, 2002. If the State Board does not act upon the petition within the allowed time, the petition is deemed denied.

The State Board anticipates taking final action on the issues raised in the petition concerning Cease and Desist Order No. 5-01-041 after May 18, 2002. Therefore, the State Board

¹ California Code of Regulations, title 23, section 2052(d).

has decided to review Cease and Desist Order No. 5-01-041 on its own motion.² The State Board is advised that the petitioners and Regional Board staff are discussing the issues raised in the petition and in the State Board's proposed order on the petition dated April 18, 2002, in an attempt to reach an informal resolution of the issues.

ORDER

IT IS HEREBY ORDERED that the State Board will review Cease and Desist Order No. 5-01-041 on its own motion. In light of the discussions between the petitioners and the Regional Board staff, the State Board will provide at least 30 days' notice prior to taking further action on the issues raised in the petition.

CERTIFICATION

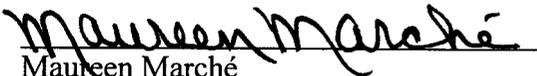
The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 16, 2002.

Arthur G. Baggett, Jr.
Peter S.Silva
Richard Katz

None

ABSENT: None

ABSTAIN: None


Maureen Marché
Clerk to the Board

² See Water Code section 13320(a). This section provides, in part, that “[t]he state board may, on its own motion, at any time, review the regional board’s action or failure to act. . . .”